

SEP 15 1988

SDMS Document



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William L. Warren, Esq.
Cohen, Shapiro, Polisher, Sheikman & Cohen
997 Lenox Drive - Building Three
Lawrenceville, NJ 08648

Re: SCP Carlstadt Site

Dear Mr. Warren:

This in response to your letters dated August 22 and 31, 1988 concerning the ARARs document which EPA provided you on July 27, 1988.

EPA is concerned that you displayed a misunderstanding of many of the ARARs and "To Be Considered" (TBC) material in our July 27th transmittal. For example, most of the concerns you raised in your August 22nd letter were focused on the TBC material. You repeatedly stated that the TBCs are not "ARARs". In the July 22nd transmittal, EPA explained that TBC material "may be considered for evaluating remedial alternatives when an ARAR does not exist for a contaminant or action or does not ensure a protective remedy." EPA did not present the TBC material as either applicable or relevant and appropriate; therefore, your concerns appear misdirected. In addition, several of your statements questioned the applicability of certain contaminant-specific requirements. EPA must point out that while possibly not applicable, these requirements may be relevant and appropriate.

EPA would be happy to meet with you to discuss the ARARs for the SCP Site. We are in the process of trying to arrange a date on which all necessary personnel will be available and will contact you in the near future.

It should be understood that although EPA will be happy to discuss ARARs with you in further detail, you should have been utilizing the information provided to you in the July 27th letter to complete the Feasibility Study (FS). Should any future discussions reveal the need to reevaluate these ARARs, the FS can be modified at a later date.

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If you have any questions concerning this letter, do not hesitate to contact Janet Feldstein or James Schmidtberger, of my staff, at (212) 264-2646.

Sincerely yours,

Raymond Basso, Chief
Northern New Jersey Compliance Section

cc: Tom Armstrong, General Electric
Herbert Reiser, Nepera
Gerard Coscia, Dames & Moore
Pamela Lange, NJDEP

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